UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,877	02/01/2001	Kaushal Shastri	Q62891	3162

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EXAMINER
EISEN, ALEXANDER

ART UNIT	PAPER NUMBER
2629	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2005*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker et al.,

hereinafter Becker, US 6,904,161.

With respect to claims 1 and 5 Becker discloses an image display apparatus and

associated with it method for displaying a plurality of images on a display means, wherein based

on at least one display protocol sequence that defines an execution order of a plurality of display

protocols for the plurality of images (workflow template for running a series of images; col. 7,

lines 52-64)), in which a plurality of display protocols that define a display layout of the plurality

of images (col. 7, lines 30-42) are lined up in a predetermined order (col. 8, lines 58-67; i.e. the

predetermined order is programmed by an operator, saved as a template, but can be changed at

operator's will), the display layout of the plurality of images is switched by switching the display

protocols and the plurality of images are displayed on the display means (col. 7, lines 25-30)

using the switched display protocol.

While Becker does not explicitly disclose that the plurality of display protocols (images

with various layouts) are switched in a predetermined order by the display protocol sequence, but

Becker does discloses, however, creating images of various layouts (col. 7, lines 29-33 and lines

52-54) and displaying them in series (display protocol sequences; col. 7, lines 37-38). Therefore

it would have been obvious to one of ordinary skill in the art at the time when the invention was made that displaying a series of images in Becker, wherein the images are assigned various layouts would constitute running a display protocol sequence of predetermined display protocols (images that has been layout in a certain way).

As pertaining to claims 2 and 3, Becker further discloses that multiple templates can created by an operator, each defining various activities, displaying a series of images including (col. 4, lines 7-16 and col. 7, lines 37-42 and lines 60-64), whereby the templates can be selected by an operator to run different protocol sequences, which those templates represent (col. 4, lines 61-65); i.e. the desired display protocol sequence can be selected, and based on the selected display protocol sequence, the plurality of images are displayed on the display means, or that the plurality of display protocol sequences can be switched, and based on the display protocol sequence switched to, the plurality of images are displayed on the display means.

As pertaining to claim 4, the display protocol sequences method (templates) disclosed by Becker are created based on the predetermined conditions, and based on the created display protocol sequence, the plurality of images are displayed on the display means (col. 4, ll. 53-65).

With respect to claims 5 and 6, Becker discloses a memory means, control means and input means (col. 3, lines 14-24) for implementing activities above, such as receiving selection of the desired display protocol sequence, for cases in which multiple display protocol sequences are remembered in the memory means, wherein based on the selected display protocol sequence in the input means, the control means displays on the display means the plurality of images.

As pertaining to claim 7, the control means are capable to switch the multiple display protocol sequences, and based on the switched to display protocol sequence, the plurality of images is displayed on the display means.

As pertaining to claim 8, an image display apparatus as disclosed by Becker above is based on the predetermined conditions, the control means creates the display protocol sequences, and based on the created display protocol sequence, the plurality of images are displayed on the display means.

As pertaining to claim 9, Becker disclose a computer-accessible storage medium on which a program that causes a computer to execute the image display method in which a plurality of images are displayed on the display means, wherein; the program contains a display procedure for, based on at least one display protocol sequence, in which a plurality of display protocols that define a display layout are lined up in a predetermined order, switching the display layout by switching the display protocols and displaying on the display means the plurality of images (col. 3, ll. 8-24; see also relevant discussion in regards to claim 1).

Claims 10-12 have limitations similar to those of the preceding claims 2-4 and 6-8 and therefore are rejected on same grounds.

As per claims 13-15, Becker discloses the protocol sequence (series of images) can include images having 2 or more layouts, each of different spatial order (col. 7, ll. 30-33), and it is understood that the protocol sequence is temporally distributed (compare to "slideshow of a series of images" – col. 7, ll. 37-38).

As pertaining to claims 16-18 protocol sequence includes at least two of the plurality of display protocols to be arranged in a predetermined temporal order and wherein the display

protocol sequence can be switched to a different display protocol sequence prior to reaching a

last display protocol of the display protocol sequence (col.8, ll. 6-67).

As pertaining to claims 19-21, the display protocols (workflow templates) are executed

automatically.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Stockham et al., US 6,081,267, discloses various display protocols, which can be

displayed sequentially.

Hilton et al., (reference of record), US 5,452,416, discloses an automated system for

presenting medical images including all elements of the invention without explicit teaching of a

selection of protocol sequences.

Bodicker et al., US 7,050,611, discloses pre-programming of a sequence of images to be

reviewd in medical cases.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alexander Eisen whose telephone number is (571) 272-7687.

The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alexander Eisen
Primary Examiner
Art Unit 2629

28 October 2006